



Stakeholder Update for Amended Agreement State
Status - Uranium Mills and Tailings
Utah Division of Radiation Control
Utah Department of Environmental Quality
Update #7 - July 29, 2002

Purpose: This is a series of updates to be provided to stakeholders interested in following the process of the Division of Radiation Control's efforts to achieve an amended Agreement with the Nuclear Regulatory Commission to regulate uranium mills and tailings within the State of Utah

Rulemaking update: A public comment opened July 1, 2002 and will close July 31, 2002 regarding repropoed changes to the Utah Radiation Control Rules. The changes involve R313-17-2(1)(a), "Public Notice and Public Comment Period," and R313-70-7(2)(b)(c)(d), "License Categories and Types of Fees for Radioactive Materials Licenses." The rules were repropoed as a result of public comment received which required substantive changes. Public notice of the comment period was published in the Blue Mountain Panorama (Blanding), Moab Times-Independent and the Salt Lake Tribune and The Deseret News. Information and links to these repropoed rulemakings are located on the Division of Radiation Control website.

At the June 7, 2002 of the Utah Radiation Control Board, R313-22-33(1)(e) was given final approval and made effective as of June 14, 2002. At the July 22, 2002, meeting of the Utah Radiation Control Board (by teleconference), changes to R313-15-1001 and R313-22-39 were given final approval and made effective as of July 23, 2002.

A public comment period will open August 15, 2002 and close September 16, 2002 regarding repropoed changes to the Utah Radiation Control Rules. The changes involve R313-19-2 Requirements of General Applicability to Licensing of Radioactive Material," and R313-24, "Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements." The rules were repropoed as a result of public comment received which required substantive changes. A response to comments was also prepared. This information will be available shortly on the Division website.

One of the issues identified in the comments to R313-24 was the replacement of 10 CFR Part 40, Appendix A, Criteria 5(b)1 through 5H, 7A, and 13 with Utah Administrative Code R317-6, Groundwater Quality Protection. Under Section 274(o) of the Atomic Energy Act, an Agreement State may propose alternatives to the regulatory program (under Appendix A) to protect public health, safety, and the environment. The Division is currently working with the NRC in establishing the process for dealing with an "alternative standard" (the groundwater program). As a result, the Division is currently preparing, for NRC review purposes, a comparison of the State of Utah groundwater standards versus the current NRC program under the auspices of the applicable Appendix A criteria.

For additional information, contact Bill Sinclair, Division of Radiation Control, (801)-536-4255 or email at bsinclair@deq.state.ut.us